

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

AURA ROSSI,

Plaintiff,

v.

CITY OF LAKEWOOD, a municipal  
corporation of the State of Washington;  
LAKEWOOD FIRE DEPARTMENT, aka  
LAKEWOOD FIRE DISTRICT 2, PAUL  
WEBB, Chief, Lakewood Fire Department,  
JOHN DOE 1; JOHN DOE 2,

Defendants.

LAKEWOOD FIRE DEPARTMENT, aka  
LAKEWOOD FIRE DISTRICT 2, PAUL  
WEBB, Chief, Lakewood Fire Department,

Third-Party Plaintiffs,

v.

CITY OF LAKEWOOD, A municipal  
corporation of the State of Washington,

Third-Party Defendant

NO. CV 07-5411-RBL

ORDER DETERMINING THAT THE  
AUTOMATIC STAY PROVISIONS OF  
THE UNITED STATES BANKRUPTCY  
CODE DO NOT APPLY TO PLAINTIFF  
ROSSI'S CLAIMS IN THIS MATTER

This matter comes before the Court as a result of the Court's Minute Order (Dkt. #174) that the Lakewood Fire Department Defendants file a Response to Ms. Rossi's status report addressing whether this litigation is automatically stayed as a result of Ms. Rossi's Chapter 13 bankruptcy.

1 The Court having considered the Lakewood Fire Departments' Response, the pleadings in  
2 support thereof, and the remaining court file; and the Court being fully advised, the Court finds  
3 that the automatic stay provision of the Bankruptcy Code does not apply to the instant litigation.

4 Plaintiff's counsel will obtain, and provide for the review of this Court, an appropriate  
5 Order of the Bankruptcy Court acknowledging the existence of this action as an asset of the estate  
6 and appointing counsel to represent Ms. Rossi in this matter. Said Order should be presented to  
7 this Court on or before November 14, 2008.

8 NOW THEREFORE, it is hereby ORDERED that the case may proceed and the Court  
9 will consider the pending Motion for Reconsideration, and Motions for Costs on Friday,  
10 October 31, 2008 at 2:30 p.m.

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12 Dated this 27<sup>th</sup> day of October, 2008.

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15 RONALD B. LEIGHTON  
16 UNITED STATES DISTRICT JUDGE  
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